IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

-

**WRIT PETITION NO : 12076 of 2004**

Between:

Sona Rani Lodha, d/o Mahaveer Tuljaram,
r/o 1-24/1, Nanakramguda (V), Serilingampally (M), Rangareddy

District.

**..... PETITIONER**

AND

1 Government of Andhra Pradesh represented by Principal Secretary,

Social Welfare Department, Secretariat, Hyderabad.
2 The Commissioner, Backward Class Welfare Department,
Masab Tank, Hyderabad.
3 The Controller of Examinations, JNTU, Hyderabad.
4 The District Collector, Rangareddy District, Hyderabad.
5 The Principal, G.Narayanamma Institute of Technology & Science,
Shaikpet, Hyderabad.
6 The Convenor, EAMCET-2002 (Admissions) and Commissioner of

Technical Education, Sanketika Vidya Bhavan, Masab Tank,

Hyderabad.

**....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus directing the respondents herein: a) To direct the fifth respondent to

permit the petitioner to pursue her B.Tech. Course: b) By setting aside letter No.EAMCET-2002/Admissions/Pending cases dt.26-05-2004 of the sixth respondent and consequential cancellation proceedings issued by the fifth respondent c) To direct the first respondent to dispose of the appeal preferred by the petitioner with regard to petitioner's caste status: d) By holding the action of the respondents in not disposing of said appeal/stay petition despite the directions of this Hon'ble Court in WP No.5440/2004 dt.31-03-2004 and further action of sixth respondent in cancelling petitioner's admission as bad, illegal, arbitrary and unconstitutional and violative of Article 14 and 21 of Constitution of India pending appeal before the Government as bad, illegal, arbitrary and unconstitutional.

**Counsel for the Petitioner : MR.P.V.SANJAY KUMAR**

**Counsel for the Respondents No.1 & 2 : G.P. FOR SOCIAL WELFARE**

**Counsel for the Respondent No.3 :**

**Counsel for the Respondent No.4 : G.P. FOR REVENUE.**

**Counsel for the Respondent No.5 :**

**Counsel for the Respondent No.6 : MR.S.S.PRASAD**

**The Court made the following :**

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

The case of the petitioner in brief is that he secured seat in B.E. (Computer Science)

under BC-A reservation category in 5th respondent – College, and on an objection raised by the Principal of the College, he faced an enquiry with regard to the caste certificate issued to him and on the directions issued by this court in an earlier writ petition, he was permitted to attend the classes and write the examinations and he is presently studying II year.

Ultimately, when the 4th respondent issued proceedings dated 16-12-2003 cancelling the caste certificate issued in his favour, the petitioner filed W.P.No.5440 of 2004, which was disposed of with a direction that the petitioner can approach the Government by filing an appeal against the order of the 4th respondent and with a further direction to the Government to dispose of the said appeal/stay application within one week from the date of receipt of the said appeal.

The main grievance of the petitioner is that pursuant to the directions of this Court, though he filed an appeal as far back as on 8-4-2004 before the 1st respondent, neither the appeal has been disposed of nor any orders have been passed on the interlocutory application.

Having regard to the fact that, as can be seen from the material papers filed along with the writ petition, the petitioner has filed an appeal before the 1st respondent on 8-4-2004, the 1st respondent is directed to consider and dispose of the appeal filed by the petitioner under Section 7(2) of the Andhra Pradesh Scheduled Castes, Scheduled Tribes and Backward Classes (Regulation of Issue of Community) Certificates Act, 1993 and pass appropriate speaking orders expeditiously, within one week time. If he is unable to dispose of the same, pending disposal of the appeal, he may pass appropriate orders on the interlocutory application within a period of one week from today.

The writ petition is disposed of with the above directions. No costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTIION OFFICER.

To

1. Principal Secretary, Government of Andhra Pradesh

Social Welfare Department, Secretariat, Hyderabad.

2 The Commissioner, Backward Class Welfare Department,
Masab Tank, Hyderabad.

3 The Controller of Examinations, JNTU, Hyderabad.

4 The District Collector, Rangareddy District, Hyderabad.

5 The Convenor, EAMCET-2002 (Admissions) and Commissioner of

Technical Education, Sanketika Vidya Bhavan, Masab Tank,

Hyderabad.

6. 2CCs to G.P. for Social Welfare, High Court of A.P.

Hyderabad (OUT)

7. 2 CCs to G.P. for Revenue, High Court of A.P., Hyderabad (OUT)

8. 2CD copies

9. The Principal, G.Narayana Institute of Technology & Science,

Shaikpet, Hyderabad.